



Meet-and-Confer

Posted by **Pierluigi Oliverio** on Monday, March 23, 2009

Last week I responded to many of your questions with a term, "Meet-and-Confer." This terminology is used in reference to discussions that city management has with unions about almost anything.

Once a labor contract is agreed upon, any thought of a change requires a meet-and-confer meeting. It could be a compensation freeze, sick time, vacation time, grievance, health care, retirement, education reimbursement, uniform allowance, time off with pay to conduct union activities, examining the possibility of using a non-union person to provide a city service, or even discussions about future employees who have not been hired yet, etc... So with the current budget deficit, if we want to have a discussion about city staff taking one day off without pay (\$2.88M) to avoid layoffs, then there needs to be a closed-door meeting.

As an elected official, I have absolutely zero knowledge of these meetings except what is paraphrased for me by city management. So there are times where union members have genuine concerns and mention that city management did not answer questions, did not provide data or were playing games. How do I know one way or another what happened, since these meetings are secret? It becomes a he-said-she-said situation and burns everyone's time going back and forth.

More often than not, the Union Business Agent is the person in the closed door meeting. They do not work for the city but are paid by the union to represent and negotiate on behalf of our professional city staff. They are paid from union dues and agency fees that come out of city employees' paychecks. Last year that amount was \$7,164,760.89, and approximately half of that amount can be spent on political campaigns.

I looked back at a prior blog I wrote on May 19, 2008, where I suggested that we allow more sunshine on labor negotiations. My view is still the same for both traditional labor negotiations and binding arbitration. Here is a clip from what I wrote nearly a year ago:

Labor negotiations are a long arduous process. In the past, the city and the unions have both pointed fingers at each other. Perhaps if these meetings were discussed in public, then there would be no finger-pointing. In the era of sunshine, maybe we should consider making these meetings public, as is done in other parts of the country. It would be interesting to know, for example, the full dollar amounts on proposals from each side through each stage of the negotiation, prior to final agreement.

If the city was being unfair, then everyone would know. If labor was asking too much, or they had good points about cost-of-living adjustments or worker safety then we would know. With the bankruptcy of our neighbor, Vallejo, it seems like we should shine more light on collective bargaining, or, at least, the city should provide some type of summary of the negotiations to the public at an earlier time. If allowing the public to view the negotiations in real time would harm privacy, then, perhaps, the negotiations should be taped on video and shown after the agreement has been reached. The negotiations could be viewable on the internet or Channel 26. That way, the public would at least get to see what took place.

In the end, we on the council vote on compensation and benefit increases. However, we as a council will be long gone when the aggregate effect of past votes impacts the budget and neighborhood services. If decisions are made behind closed doors without public scrutiny, then it is easier to make unrealistic financial choices.

Making negotiations public will not take anything away from workers or make negotiations a game of "winners" and "losers." People need to be paid a good wage with good benefits, that's for sure.

With a total compensation of \$815M and a General Fund of just over \$1 billion we need to let the taxpayer know what is going on otherwise they will not support tax increases to provide city services.

Perhaps residents of San Jose should be allowed to vote on this topic?

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